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OF THE UNITED STATES 1934

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Washington, Thursday, August 10, 1939

The President

EXECUTIVE ORDER

DESIGNATING THE SECRETARY OF AGRICULTURE AS THE OFFICER TO EXERCISE THE RIGHTS OF THE UNITED STATES ARISING OUT OF THE OWNERSHIP OF THE CAPITAL STOCK OF THE COMMODITY CREDIT CORPORATION

By virtue of the authority vested in me by section 3 of the act of March 8, 1938, 52 Stat. 107, I hereby designate the Secretary of Agriculture as the officer to exercise on behalf of the United States any and all rights of the United States arising out of the ownership of the capital stock of the Commodity Credit Corporation.

This order supersedes the second paragraph of Executive Order No. 7848 of March 22, 1938,[1] authorizing and directing the Secretary of the Treasury to exercise on behalf of the United States any and all rights accruing to the holder of such capital stock.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
Aug. 7, 1939.

[No. 8219]

[F. R. Doc. 39-2910; Filed, August 8, 1939; 3:18 p. m.]

EXECUTIVE ORDER

POWER-SITE RESTORATION NO. 491

PARTIAL REVOCATION OF CERTAIN EXECUTIVE ORDERS CREATING TEMPORARY POWER-SITE WITHDRAWALS AND POWER-SITE RESERVES

Oregon

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the act of August 24, 1912, c. 369, 37 Stat. 497, it is hereby ordered as follows:

1. The Executive order of December 30, 1909, withdrawing lands for Temporary Power-Site Withdrawal No. 66, and the Executive order of July 2, 1910, withdrawing lands for Power-Site Reserve No. 66, are hereby revoked as to the following-described lands:

WILLAMETTE MERIDIAN

T. 9 S., R. 13 E., sec. 21, SE¼NW¼NW¼.

2. The Executive order of December 30, 1909, withdrawing lands for Temporary Power-Site Withdrawal No. 95, and the Executive Order of July 2, 1910, withdrawing lands for Power-Site Reserve No. 95, are hereby revoked as to the following-described lands:

WILLAMETTE MERIDIAN

T. 17 S., R. 4 E., sec. 6, lot 1.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 7, 1939.

[No. 8220]

[F. R. Doc. 39-2909; Filed, August 8, 1939; 3:18 p. m.]

[1] 3 F.R. 739 DI.

Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT

COMMODITY CREDIT CORPORATION

[1938-39 Cotton Circular Letter No. 8]

PART 203—1938-39 COTTON LOANS

§ 203.13 *Time and manner of loans and purchase.* As announced in press release dated June 5, 1939, banks and other lending agencies may carry producers' notes on 1938-39 C.C.C. Cotton Form A after July 30, 1939, by executing and furnishing to each Loan Agency of the Reconstruction Finance Corporation holding such notes for the lending agency, Supplemental Contract to Purchase (1938-39 C.C.C. Cotton Form J), copies of which may be obtained from the Loan Agencies.

Under the terms of the Supplemental Contract to Purchase the Corporation will purchase the notes subsequent to July 31, 1939, upon request of the bank or lending agency, paying therefor the face amount of the note plus interest at the rate of 2½ percent per annum from September 11, 1938, or the date of the note, whichever is later, through July 30,

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RULES, REGULATIONS, ORDERS

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FEDERAL REGISTER

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1939, and interest thereafter at the rate of 1 percent per annum to the date of purchase.

Provision has also been made whereby banks or lending agencies may transfer their investment in notes, carried under the provision of the Supplemental Contract to Purchase, as provided in the Letter of Authorization (1938–39 C.C.C. Cotton Form K), copies of which will also be furnished upon request by the Loan Agencies.

Prior to execution of the Supplemental Contract to Purchase lending agencies can continue to transfer notes by use of the Notice of Assignment as provided in 1938–39 Cotton Circular Letter No. 7, but the assignee named in such notice of assignment must execute the Supplemental Contract to Purchase in order to continue their investment after July 30, 1939.

Schedules listing notes covered by the Letter of Authorization must identify the notes by date, name of producer, face amount of the note and number of bales pledged and each page of such schedule must be identified by signature of the lending agency.

The extension of the time for purchase of notes from lending agencies does not affect the provisions of the Contract to Purchase (1938–39 C.C.C. Cotton Form D) requiring tender of notes prior to July 1, 1939. The notes must be tendered prior to July 1, 1939, and will be held by the Federal Reserve Banks, Custodian for the Reconstruction Finance Corporation for the account of lending agencies completing the Supplemental Contract to Purchase.

[SEAL] G. E. RATHELL,
Treasurer.

Adopted June 15, 1939.

[F. R. Doc. 39–2915; Filed, August 9, 1939; 9:18 a. m.]

[1938 Corn Circular Letter No. 4, 1938–39 Corn Circular Letter No. 3 (Supplemental Instructions)]

ADOPTING § 205.13A AND § 206.19 FOR PARTS 205, 1938 CORN LOANS, AND 206, 1938–39 CORN LOANS, RESPECTIVELY

1. Under the 1938 and 1938–39 corn loan programs, the corn producers' notes mature August 1, 1939. No deliveries of corn will be accepted by Commodity Credit Corporation in liquidation of notes prior to September 1, 1939, except in those instances where the notes are called under the terms of the mortgages.

2. Arrangements have been made for the resealing of corn collateral and the extension or renewal of the notes in those instances where the corn collateral and storage structures are found to be in good condition, except for ear corn produced in 1937. However, ear corn produced in 1937 may be shelled and resealed in farm storage. Producers may also shell and deliver corn of any crop year (1937 or 1938) to warehouses approved by Commodity Credit Corporation and obtain a renewal of the loans thereof. To be eligible for a loan extension or renewal, the corn collateral must grade No. 3 or better and contain not more than 13½% moisture when stored as shelled corn and 15½% moisture when stored as ear corn. The extension and renewal program applies only to corn now under loan.

3. Each producer interested in obtaining an extension or renewal of his loan should communicate with the County Agricultural Conservation Committee for an inspection of the corn collateral and storage structures. Any extension requests for corn stored in the state of Illinois must be transmitted for acceptance prior to November 1, 1939; otherwise, it will be necessary for the producers to submit a renewal note secured by a new chattel mortgage.

4. In those instances where the corn collateral is already shelled or is to be resealed as ear corn in farm storage, the producer must submit a corn storage agreement on 1938–39 C.C.C. Corn Form A–2. Producers desiring to shell ear corn collateral and to mortgage the shelled corn in substitution therefor must execute renewal notes on 1938–39 C.C.C. Corn Form A–3, secured by chattel mortgage on 1938–39 C.C.C. Corn Form A–4. Producers desiring to store shelled corn in approved public warehouses must execute new notes and loan agreements on 1938–39 C.C.C. Corn Form A–5. All agreements and new loan documents covering 1937 corn must be submitted to the Chicago Loan Agency; and agreements and new documents covering 1938 corn shall be submitted to the Loan Agency serving the area as stated in the Instructions of Commodity Credit Corporation (1938–39 C.C.C. Corn Form 1). Commodity Credit Corporation will pay producers resealing corn in farm storage 7 cents per bushel for storing the corn until August 1, 1940, or the date of delivery of the corn, whichever is later. Such payment is conditioned upon the producer delivering the full quantity of corn resealed grading No. 3 or better. At the request of producers, the storage charge will be advanced at the time of resealing farm stored corn for the sole purpose of enabling the producer to acquire or construct additional facilities for the farm storage of corn. If such an advance is used for any other purpose, the producer will be liable for the full amount advanced and owing on the corn plus interest and charges.

5. The corn storage agreements and new notes and chattel mortgages or loan agreements must be properly completed. All liens listed in Section 12 of the new chattel mortgage and Section 8 of the loan agreement must be waived. Such liens may be waived on the new chattel mortgage or the loan agreement or listed and waived on corn lien waiver (1938–39 C.C.C. Corn Form AB) which may be attached thereto. If the producer is a tenant, the consent for storage must be signed on all forms if the lease expires prior to October 1, 1940. The requirements for completing and filing for record of new chattel mortgages are the same as set forth in the Instructions (1938–39 C.C.C. Corn Form 1).

6. In the event the quantity of corn resealed is less than the quantity covered by the original mortgage, the storage agreement or new note and mortgage or loan agreement must be accompanied by funds for the deficiency, as determined in accordance with Section 7 hereof. New loan documents will not be accepted by Commodity Credit Corporation until settlement is made of such deficiencies.

7. After September 1, 1939, notes may be liquidated by the delivery of the corn collateral. Such delivery must be made under the instructions of the county committee. Producers may deliver part of the corn collateral and reseal the remainder as ear corn, except corn produced in 1937, or shell and reseal in farm storage as shelled corn or store shelled corn collateral in approved warehouses. *Under no conditions will producers be permitted to purchase all or any part of the corn collateral for less than the loan value plus interest and other charges.* Producers must settle for any deficiencies in the quantity of corn delivered or resealed or for deliveries of corn grading less than No. 3. Any *shortage in quantity* must be settled for on the basis of loan value plus interest and charges on the assumption that the full quantity of corn described in the original chattel mortgage was not sealed at the time such chattel mortgage was executed, provided, that if satisfactory evidence is presented by the producer that the full quantity of corn was sealed and that the shortage is due to loss or impairment due to an insured risk, the producer will not be liable for such shortage and collection will be made under the insurance provided by the producer and Commodity Credit Corporation. *Deficiencies in quality* must be settled on the difference in value between corn grading No. 3 and the grade of the corn delivered. The county committees will advise the producers as to the amount of the deficiencies.

8. In consideration of the payment of ⅛ cent per bushel on farm storage and 1/10 cent per bushel on warehouse storage by producers, Commodity Credit Corporation will not require producers to furnish an insurance certificate or policy. Such funds are intended to protect Commodity Credit Corporation against loss or impairment of the corn collateral from the perils of fire, lightning, windstorm, cyclone, tornado, inherent explosion, flood and theft. The obligations of the producer in connection with such protection are set forth in the loan documents. Payment of this amount shall be made to the County Agricultural Conservation Committees at the time the extension or renewal is approved by the county committee.

[SEAL] SAMUEL H. SABIN,
Secretary.

Adopted July 21, 1939.

[F. R. Doc. 39-2914; Filed, August 9, 1939; 9:18 a. m.]

TITLE 7—AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

[ACP-1939-Puerto Rico-1]

PART 704—1939 AGRICULTURAL CONSERVATION PROGRAM BULLETIN—PUERTO RICO

SUPPLEMENT NO. 1

Pursuant to the authority vested in the Secretary of Agriculture under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1939 Agricultural Conservation Program Bulletin—Puerto Rico, issued April 4, 1939,[1] is hereby amended as follows:

(1) Section 704.3 (a) is amended to read as follows:

"(a) *State allotment.* The State allotment of tobacco for Puerto Rico shall be 30,000 acres."

(2) Section 704.3 (c) is amended to read as follows:

"(c) *Payment in connection with tobacco acreage allotment.* Payment will be made with respect to any farm at the rate of $15.00 for each acre in the tobacco acreage allotment established for the farm."

(3) Section 704.3 (d) is amended to read as follows:

"(d) *Deduction for excess tobacco acreage.* The payment computed for any farm under sections 704.2 and 704.3 shall be subject to a deduction of $45.00 for each acre planted to tobacco on the farm in the 1939-40 tobacco season in excess of the tobacco acreage allotment established for the farm."

Done at Washington, D. C., this 8th day of August 1939. Witness my hand and the seal of the Department of Agriculture.

[SEAL] HARRY L. BROWN,
Acting Secretary of Agriculture.

[F. R. Doc. 39-2912; Filed, August 8, 1939; 3:51 p. m.]

[1] 4 F.R. 1438 DI.

TITLE 16—COMMERCIAL PRACTICES

FEDERAL TRADE COMMISSION

[Docket No. 3533]

IN THE MATTER OF VIT-O-NET COMPANY, ETC.

§ 3.6 (a) 19) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Organization and operation:* § 3.6 (a) (22) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer—Laboratory:* § 3.6 (ja) *Advertising falsely or misleadingly—History of product:* § 3.6 (k) *Advertising falsely or misleadingly—Individual attention:* § 3.6 (l) *Advertising falsely or misleadingly—Indorsements and testimonials:* § 3.6 (n) (2) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (dd) (10) *Advertising falsely or misleadingly—Success, use or standing:* § 3.18 *Claiming indorsements or testimonials falsely.* Disseminating, etc., advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase of "Vit-O-Net" electrical device or so-called blanket, or other similar device, which advertisements represent, directly or through implication, that said device is created and manufactured for the practical application of the biological, chemical, and other scientific discoveries and theories of well-known scientists and is the result of painstaking and long experiments and tests; sets up a radio-magnetic energy which is transmitted to the person within or under its protection, thus causing an increased activity and revitalizing of the organs and cells of the body, a charging of the blood stream with electro-magnetic energy, an elimination of many times more poisons and waste matter than is possible by any other method, and a magnetic stimulation of the various cells of the human body with a resulting cure of any disease or ailment with which the person using the product may be suffering; has been tested and endorsed by prominent and well-known physicians, scientists, or other prominent and well-known persons, or by hospitals and other institutions for medical and scientific research, when such are not the facts; is an amazing discovery and aids nature to eliminate the wastes and poisons responsible for high or low blood pressure, rheumatism, arthritis, neuritis, and numerous other ailments and conditions, as specified; has therapeutic value in all diseases known to man and creates new energy, new vitality, and is wonderful for, and soothing to, the nerves; and produces radio-magnetic or electro-magnetic energy which is transmitted to, and has an effect on, the human body, or that it has any curative, remedial or therapeutic effect at all on the human body other than that which would be produced by, and as a consequence of, the heat generated by said device; and that purchasers of said device and their families, as long as they own said device, secure through a health division and laboratory, maintained under the supervision and direction of a competent physician, scientific analyses and complete medical service; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Vit-O-Net Company, etc., Docket 3533, August 1, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of August, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

IN THE MATTER OF FRED ADELMANN, ALSO KNOWN AS FRANK ADELMANN, AN INDIVIDUAL, TRADING AS VIT-O-NET COMPANY, VIT-O-NET CORPORATION, AND ELECTRIC BLANKET COMPANY

ORDER TO CEASE AND DESIST

This proceeding having been heard[1] by the Federal Trade Commission upon the amended complaint of the Commission, testimony and other evidence taken before Randolph Preston, an Examiner of the Commission, theretofore duly designated by it, in support of the allegations of the amended complaint, and the answer of the respondent, in which answer respondent admits all material allegations of fact set forth in the amended complaint, and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondent, Fred Adelmann, also known as Frank Adelmann, an individual, whether trading under either of said names or as Vit-O-Net Company, Vit-O-Net Corporation or Electric Blanket Company, or any other name, his representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from:

Disseminating, or causing to be disseminated, any advertisement by means of the United States mails or in commerce, as "commerce" is defined in the Federal Trade Commission Act, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of an electrical device described and designated as a blanket which is now sold under the name "Vit-O-Net" and various other names, or any other device of similar design and construction or possessing similar properties, whether sold under the name "Vit-O-Net" or any other trade name; or disseminating, or causing to be disseminated, any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said device or any device of similar construction or possessing similar properties, which advertisements represent, directly or through implication, that said device is created and manufactured for the practical application of the biological, chemical, and other scientific discoveries and theories of well-known scientists and is the result of painstaking and long experiments and tests; that said device sets up a radio-magnetic energy which is transmitted to the person within or under its protection, thus causing an increased activity and revitalizing of the organs and cells of the body, a charging of the blood stream with electromagnetic energy, an elimination of many times more poisons and waste matter than is possible by any other method, and a magnetic stimulation of the various cells of the human body with a resulting cure of any disease or ailment with which the person using the product may be suffering; that said device has been tested and endorsed by prominent and well-known physicians, scientists, or other prominent and well-known persons, or by hospitals and other institutions for medical and scientific research, when such are not the facts; that said device is an amazing discovery, aids nature to eliminate the wastes and poisons responsible for high or low blood pressure, rheumatism, arthritis, neuritis, sciatica, pneumonia, flu, uremia, kidney cases, liver disorders, asthma, colds, acne and pimples, nervousness, insomnia, paralysis, Bright's disease, stomach troubles, dropsy, catarrh, goitre, constipation, auto-intoxication, eczema, diabetes, women's ailments, obesity, hay fever, neurasthenia, varicose veins, social diseases, heart diseases; has therapeutic value in all diseases known to man and creates new energy, new vitality, and is wonderful for, and soothing to, the nerves; that said device produces radio-magnetic or electro-magnetic energy which is transmitted to, and has an effect on, the human body, or that it has any curative, remedial or therapeutic effect at all on the human body other than that which would be produced by, and as a consequence of, the heat generated by said device; and that purchasers of said device and their families, as long as they own said device, secure through a health division and laboratory, maintained under the supervision and direction of a competent physician, scientific analyses and complete medical service.

It is further ordered, That the respondent shall, within thirty (30) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 39-2928; Filed, August 9, 1939; 12:50 p. m.]

[1] 4 F.R. 1658 DI.

TITLE 39—POSTAL SERVICE

POST OFFICE DEPARTMENT

[Order No. 13228]

MAILINGS UNDER PENALTY PRIVILEGE

AUGUST 3, 1939.

Paragraph 1, Section 619½, Postal Laws and Regulations, is amended to read as follows:

"§ 619½. On and after July 1, 1939, no executive department or independent establishment of the Government shall transmit through the mail, free of postage, any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, *including such enclosures as are reasonably related to the subject matter of the correspondence; informational releases in connection with the decennial census of the United States*, mail concerning the sale of Government securities, and all forms and blanks *and copies of statutes, rules, regulations, and instructions and administrative orders and interpretations* necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment; or such transmission is required by law; *or such document is transmitted to inform the recipient thereof of the adoption, amendment, or interpretation of a statute, rule, regulation, or order to which he is subject.* For each quarter, beginning with the quarter commencing July 1, 1939, the head of each independent establishment and executive department (other than the Post Office Department) shall submit to the Postmaster General, within thirty days after the close of the quarter, a statement of the weight of the mail matter by classes of mail that the independent establishment or department has transmitted free of postage during such quarter, and he shall also certify to the Postmaster General at the end of each such quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: *Provided*, That nothing herein shall be construed to prohibit the mailing free of postage of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, *or of announcements of publications of maps, atlases, statistical, and other reports offered for sale by the Federal Power Commission as authorized by section 312 of the Federal Power Act: Provided further*, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries, *or to Federal, State, or other public authorities.*"

(Act of May 6, 1939, sec. 6, Public No. 65, 76th Congress, as amended by Act of June 30, 1939, sec. 2, Public No. 160, 76th Congress.)

[SEAL] RAMSEY S. BLACK,
Acting Postmaster General.

[F. R. Doc. 39-2916; Filed, August 9, 1939; 10:37 a. m.]

TITLE 46—SHIPPING

UNITED STATES MARITIME COMMISSION

[General Order No. 18, Amended]

REGULATION GOVERNING THE CHARTER TO PERSONS NOT CITIZENS OF THE UNITED STATES, OF VESSELS DOCUMENTED UNDER THE LAWS OF THE UNITED STATES OR THE LAST DOCUMENTATION OF WHICH WAS UNDER THE LAWS OF THE UNITED STATES

At a regular session of the United States Maritime Commission held at its offices in Washington, D. C., on the 3rd day of August 1939.

General Order No. 18[1] is hereby amended to read as follows:

Pursuant to authority contained in the Merchant Marine Act, 1936, particularly Section 204 (b) thereof, the Shipping Act, 1916, particularly Section 9 thereof, and the Merchant Marine Act, 1920, as all of said acts are amended, it is

Ordered, That no person shall charter any vessel documented under the laws of the United States or the last documentation of which was under the laws of the United States, to a person not a citizen of the United States for use in the coastwise, intercoastal, fishing, foreign trade, or otherwise, without first obtaining the approval of the United States Maritime Commission: *Provided*, That any vessel documented under the laws of the United States, except one in which the United States Maritime Commission may have a mortgage or other financial interest, may, without further action by the United States Maritime Commission, be chartered to a person not a citizen of the United States for operation in trade between the United States, its Territories or possessions, or the District of Columbia, and a foreign country, for a period not to exceed six months or for a voyage or voyages the probable duration of which will not exceed six months: *Provided further*, That the vessel may not be rechartered to the same charterer who is not a citizen of the United States within a three month period after termination of the term or any such prior charter without the specific approval of the Maritime Commission.

By order of the United States Maritime Commission.

[SEAL] W. C. PEET, Jr.,
Secretary.

[F. R. Doc. 39-2926; Filed, August 9, 1939; 11:54 a. m.]

[1] 2 F.R. 2540.

TITLE 47—TELECOMMUNICATION

FEDERAL COMMUNICATIONS COMMISSION

PART 8—RULES GOVERNING SHIP SERVICE

Correction

Attention is directed to the following errors in Part 8 of the Rules Governing Ship Service which appeared in the Federal Register of Saturday, July 29, 1939:

Page 3456—Table of Contents, Section 8.8: The word "Radiotelegraph" should read "Radiotelegraphy".

Page 3457—Section 8.8: The word "ragiotelegraph" should read "radiotelegraphy".

Page 3461—Tolerance Table, Item 9, line 8: The word "the" immediately preceding "bands" should read "ing".

Page 3463—Section 8.120, line 11: The word "supply" should read "supplying".

In each of the tables appearing on pages 3464 and 3465 the footnote references 28, 29 and 31 immediately following "500 kc" should be placed before the word "Plus" in the column headed "Required frequency tolerance".

Page 3468—Paragraph (c) of Section 8.221, line 17: "(o)" should read "(e)"

Page 3470—Section 8.236 (j), line 5: "3-empere" should read "3-ampere".

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 39-2925; Filed, August 9, 1939; 11:17 a. m.]

TITLE 50—WILDLIFE

BUREAU OF FISHERIES

SUBCHAPTER A—ALASKA FISHERIES

PART 220. SOUTHEASTERN ALASKA AREA FISHERIES OTHER THAN SALMON

Herring Fishery

Section 220.5 is hereby amended to close additional sections to commercial fishing for herring except for bait purposes, as follows:

§ 220.5 *Commercial herring fishing prohibited along west coasts of Chichagof and Baranof Islands and southeast coast of Baranof Island, except for bait purposes.* All commercial fishing for herring, except for bait purposes, is prohibited in the waters along the west coasts of Chichagof and Baranof Islands, including the coasts of adjacent small islands, from Cape Cross to Cape Ommaney and along the southeast coast of Baranof Island from Cape Ommaney to the light at Port Armstrong. (Sec. 1, 44 Stat. 752; 48 U.S.C. 221)

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.
August 2, 1939.

[F. R. Doc. 39-2913; Filed, August 9, 1939; 9:17 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[NCR-301-L, Supplement 1]

1939 AGRICULTURAL CONSERVATION PROGRAM LICKING COUNTY, OHIO

SUPPLEMENT NO. 1

Pursuant to the authority vested in the Secretary of Agriculture under sections (7) to (17), inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, NCR-301-L, 1939 Agricultural Conservation Program, Licking County, Ohio,[1] is hereby amended as follows:

I. Section V, item 1, is amended to read as follows:

1. *Fertilizing Materials.* The application on open noncropland pasture from November 1, 1938 to September 30, 1939, inclusive, of commercial fertilizing materials which are officially registered and guaranteed in conformity with the provisions of the Ohio State Fertilizer Control Law shall earn payments as follows:

II. Section V, item 2, is amended by deleting the phrase "between November 1, 1938 and October 31, 1939," and inserting in lieu thereof the phrase "from November 1, 1938 to September 30, 1939, inclusive."

III. Section VI is amended by deleting the phrase "between November 1, 1938 and October 31, 1939," and inserting in lieu thereof the phrase "from November 1, 1938 to September 30, 1939, inclusive."

IV. Section VII, item 2, second sentence, is amended to read as follows: "If the county committee determines that more than one such person contributed to the carrying out of one or more of such practices on the farm during the period November 1, 1938, to September 30, 1939, inclusive, such payment shall be divided in the proportion that the quantity of practices contributed by each such person bears to the total quantity of practices carried out on the farm during the period November 1, 1938, to September 30, 1939, inclusive."

Done at Washington, D. C., this 8th day of August, 1939. Witness my hand and seal of the Department of Agriculture.

[SEAL] HARRY L. BROWN,
Acting Secretary of Agriculture.

[F. R. Doc. 39-2911; Filed, August 8 1939; 3:51 p. m.]

[1] 4 F.R. 1134 DI.

Division of Marketing and Marketing Agreements.

[Docket No. A-106 O-106]

NOTICE OF HEARING WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER REGULATING HANDLING OF GRAPEFRUIT AND ORANGES GROWN IN CAMERON, HIDALGO, AND WILLACY COUNTIES IN THE STATE OF TEXAS

Whereas, under Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, notice of hearing is required in connection with a proposed marketing agreement or a proposed order, and the General Regulations, Series A, No. 1, as amended,[1] of the Agricultural Adjustment Administration, United States Department of Agriculture, provide for such notice; and

Whereas, the Secretary of Agriculture has reason to believe that the execution of a marketing agreement and the issuance of an order will tend to effectuate the declared policy of said act with respect to such handling of grapefruit and oranges grown in Cameron, Hidalgo, and Willacy Counties in the State of Texas as is in the current of interstate commerce or commerce with Canada, or which directly burdens, obstructs, or affects such commerce:

Now, therefore, pursuant to the said act and said general regulations, notice is hereby given of a hearing to be held on a proposed marketing agreement and a proposed order regulating such handling of grapefruit and oranges grown in Cameron, Hidalgo, and Willacy Counties in the State of Texas, beginning at 10:00 a. m., on August 28, 1939, in the Weslaco High School Auditorium, Weslaco, Texas.

This public hearing is for the purpose of receiving evidence as to the general economic conditions which may necessitate regulation in order to effectuate the declared policy of the act and as to the specific provisions which a marketing agreement and order should contain.

The proposed marketing agreement and the proposed order each provides, in similar terms, a plan for the regulation of such handling of the aforesaid citrus fruits as is in the current of interstate commerce or commerce with Canada, or which directly burdens, obstructs, or affects such commerce. Among other things, the proposed marketing agreement and order provide for: (a) the establishment of a Growers Administrative Committee and a Shippers Advisory Committee, (b) regulation of shipments by grade or size, or both, (c) inspection of shipments by an authorized representative of the Federal-State Inspection Service during periods when regulation is in effect, (d) levying of assessments to cover necessary expenses of the Growers Administrative Committee, and (e) reports of shipments by handlers.

Copies of the proposed marketing agreement and the proposed order may be obtained from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 0310 South Building, or may be there inspected.

[SEAL] HARRY L. BROWN,
Acting Secretary of Agriculture.

Dated August 9, 1939.

[F. R. Doc. 39-2927; Filed, August 9, 1939; 12:42 p. m.]

[1] 1 F.R. 155.

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5712]

IN RE APPLICATION OF THE DIAMOND STATE TELEPHONE COMPANY (NEW)

Dated, April 17, 1939, for construction permit; class of service, public coastal; class of station, coastal harbor telephone; location, near Wilmington, Delaware; operating assignment specified; frequency, 2522 kc.; power, 400 watts; emission A2, A3; hours of operation, unlimited; points of communication, "ships"

[File No. P1-PC-53]

NOTICE OF HEARING

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to own and operate a radio station such as the one applied for;

2. To determine the nature and extent of the service proposed;

3. To determine the need for the service proposed.

(a) To determine the manner in which service is now being rendered in the area proposed to be served.

4. To determine whether or not the frequency 2522 kc is available under the provisions of the Communications Act of 1934, as amended, and Treaty agreements of the United States for assignment as requested.

(a) To determine the suitability of this frequency for communication as proposed.

(b) To determine whether or not use of the frequency 2522 kc upon a shared basis would be sufficient to enable the proposed station and the station with which the frequency is to be shared to render an efficient communication service.

5. To determine the types of service to be rendered and the charge to be made for each.

6. To determine whether or not the granting of the application would adversely affect the interests of any carrier or carriers subject to the Communications Act of 1934, as amended.

7. To determine whether or not the granting of the application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of Section 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of Section 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

The Diamond State Telephone Co., 1835 Arch Street, Philadelphia, Pa.

Dated at Washington, D. C., August 8, 1939.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 39-2929; Filed, August 9, 1939; 12:59 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of August, A. D. 1939.

[File No. 43-232]

IN THE MATTER OF IOWA PUBLIC SERVICE COMPANY

ORDER ALLOWING DECLARATION TO BECOME EFFECTIVE

Iowa Public Service Company, a public utility operating company, a registered holding company and subsidiary of Sioux City Gas and Electric Company, a registered holding company, has filed a declaration pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding the issue and sale by said company, through underwriters, of $14,250,000 aggregate principal amount of First Mortgage Bonds, 3¾% Series, due August 1, 1969, at a price of 99 to the underwriters and 101 to the public; public hearings having been held upon said declaration, as amended, after appropriate notice; the Commission having considered the record in this matter and having made and filed its findings and opinion herein:

It is ordered, That said declaration, as amended, be and become effective

forthwith, subject to the terms and for the purposes represented thereby.

It is further ordered, Pursuant to the powers vested in this Commission by Sections 7 (d), 12 (c) and 20 (a) of the Public Utility Holding Company Act of 1935, and in accordance with the written consent of Declarant filed herein, that, except as this Commission may by order or orders from time to time permit, so long as any of Declarant's First Mortgage Bonds 3¾% Series due 1969 are outstanding, Declarant shall not, nor shall any successor or successors of Declarant, declare or pay any dividends (other than dividends payable solely in shares of common stock) or make any other distribution on any shares of its common stocks, nor shall any shares of such common stock be purchased, retired or otherwise acquired, by Declarant (or any successor or successors thereof), unless the amount expended by Declarant (or any such successor or successors) for maintenance and repairs, plus provisions for depreciation, plus all retirement of funded debt (including sinking fund retirements), bank loans not to exceed $800,000 outstanding on September 1, 1939, and retirements of any new indebtedness hereafter incurred or assumed pursuant to an order of this Commission, during the period from August 1, 1939 to the date of the proposed declaration of such dividend or the date of such acquisition, plus the earned surplus of Declarant, accumulated since August 1, 1939, remaining after payment of such dividend or the making of such distribution or acquisition, shall equal twenty per cent. (20%) of the gross operating revenues of Declarant (or any such successor or successors) during such period, after the deduction therefrom of an amount equal to the cost to Declarant of electric energy or gas purchased and resold, and rentals paid for electric or gas generating, transmission, or distributing properties, and water and ice properties, leased by Declarant, and payments by Declarant for the use of similar properties operated and maintained by others during such period; provided, however, that no credit may be claimed for any retirement of indebtedness if effected as a result of Declarant incurring additional indebtedness, to the extent that such additional indebtedness remains outstanding at the date of such declaration of dividend or acquisition.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39–2920; Filed, August 9, 1939; 10:58 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of August, A. D. 1939.

IN THE MATTER OF GEORGE WALLACE GREEN, DOING BUSINESS AS CASCADE SECURITIES COMPANY 414 SYMONS BUILDING SPOKANE, WASHINGTON

MEMORANDUM OPINION AND ORDER SUSPENDING REGISTRATION

This is a proceeding pursuant to Section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration as a broker and dealer of George Wallace Green, doing business as Cascade Securities Company, should be revoked or suspended.

At the hearing held pursuant to the Commission's order [1] at Seattle, Washington, the registrant failed to appear personally or by counsel. Notice of the hearing was sent to registrant by registered mail, but was not received by him because of his removal from the address which he had given the Commission. Thereafter, the order and notice of the hearing were published in the Federal Register for February 14, 1939, in the manner prescribed by the Federal Register Act.

The Trial Examiner filed an advisory report in which he found that the registrant has violated the provisions of Rule X–15B–2, adopted by the Commission pursuant to Sections 15 (b), 17 (a), and 23 (a) of the Securities Exchange Act of 1934 in failing to inform the Commission of changes in his business and residence addresses, as alleged in the Commission's order of February 11, 1939. On an independent review of the record, we adopt the Trial Examiner's findings, and find further that the violation of Rule X–15B–2 was wilful.

Because notice was not received by Green, we will not order revocation of his registration. However, we find that it is necessary in the public interest and for the protection of investors that Green's registration be suspended pending final determination of whether or not the registration should be revoked, which matter will be determined when Green comes in to be heard or notice is received by him.

It is therefore ordered, Pursuant to Section 15 (b) of the Securities Exchange Act of 1934 that the registration of George Wallace Green, doing business as Cascade Securities Company, be and the same hereby is suspended until further order.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39–2923; Filed, August 9, 1939; 10:59 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of August, A. D. 1939.

[1] 4 F.R. 893 DI.

IN THE MATTER OF EDWARD G. HANSEN P. O. BOX 992 HELENA, MONTANA

MEMORANDUM OPINION AND ORDER SUSPENDING REGISTRATION

This is a proceeding pursuant to Section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration as a broker and dealer of Edward G. Hansen should be revoked or suspended.

At the hearing held pursuant to the Commission's order [1] on March 2, 1939, at Seattle, Washington, the registrant failed to appear personally or by counsel. Notice of the hearing was sent to registrant by registered mail, but was not received by him because he had moved from the address which he had given the Commission. Thereafter, the order and notice of the hearing were published in the FEDERAL REGISTER for February 14, 1939, in the manner prescribed by the Federal Register Act.

The Trial Examiner filed an advisory report in which he found, as alleged in the Commission's order of February 11, 1939, that the registrant had violated the provisions of Rule X–15B–2, adopted by the Commission pursuant to Sections 15 (b), 17 (a), and 23 (a) of the Securities Exchange Act of 1934 in that he has failed to inform the Commission of a change in his business address. On an independent review of the record, we adopt the Trial Examiner's findings [2] and find further that the violation of Rule X–15B–2 was wilful.

Because notice was not received by Hansen, we will not order revocation of his registration. However, we find that it is necessary in the public interest and for the protection of investors that Hansen's registration be suspended pending final determination of whether or not the registration should be revoked, which matter will be determined when Hansen comes in to be heard or notice is received by him.

It is therefore ordered, Pursuant to Section 15 (b) of the Securities Exchange Act of 1934 that the registration of Edward G. Hansen be, and the same hereby is, suspended until further order.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39–2922; Filed, August 9, 1939; 10:59 a. m.]

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[1] 4 F.R. 896 DI.

[2] As an additional basis for the institution of these proceedings, the order stated that there were reasonable grounds for belief that Hansen had wilfully violated Section 17 (a) (2) of the Securities Act of 1933, as amended. Certain evidence was adduced at the hearing with respect to that allegation. However, since the violation of Rule X–15B–2 provides a sufficient basis for such action as is necessary in the public interest, we consider it unnecessary to determine whether Hansen has also violated Section 17 (a) (2) of the Securities Act of 1933.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of August, A. D. 1939.

IN THE MATTER OF CHARLES C. PHILLIPS, 198 BROADWAY, NEW YORK, N. Y.

MEMORANDUM OPINION AND ORDER SUSPENDING REGISTRATION

This is a proceeding pursuant to Section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration as a broker and dealer of Charles C. Phillips should be revoked or suspended.

At the hearing held pursuant to the Commission's order [1] on April 1, 1939, at New York City, the registrant failed to appear personally or by counsel. Notice of the hearing was sent to registrant by registered mail; the return receipt was signed by H. Frank Phillips for the registrant. Thereafter, the order and notice of the hearing were published in the Federal Register for March 8, 1939, in the manner prescribed by the Federal Register Act. The Trial Examiner has filed an advisory report.

We find that the registrant has violated Section 32 (a) of the Securities Exchange Act of 1934 in that, in his application for registration, he willfully made a false and misleading statement to the effect that his principal office was located at 198 Broadway, New York City, when in fact the registrant had and has no office at said address; and that the registrant has violated the provisions of Rule X–15B–2, adopted by the Commission pursuant to Sections 15 (b), 17 (a), and 23 (a) of the Securities Exchange Act of 1934 in failing to inform the Commission of a change in his residence address, all as alleged in the Commission's order of March 3, 1939. We further find that the violations of Section 32 (a) and Rule X–15B–2 were willful.

It does not appear from the record that Phillips has actually received notice of this proceeding. Under those circumstances, we shall not order revocation of his registration. However, we find that it is necessary in the public interest and for the protection of investors that Phillips' registration be suspended pending final determination of whether or not the registration should be revoked, which matter will be determined when Phillips comes in to be heard or notice is received by him.

It is therefore ordered, Pursuant to Section 15 (b) of the Securities Exchange Act of 1934, as amended, that the registration of Charles C. Phillips be, and the same hereby is, suspended until further order.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 39–2919; Filed, August 9, 1939; 10:58 a. m.]

[1] 4 F.R. 1158 DI.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of August, A. D. 1939.

IN THE MATTER OF H. H. STERN 956–18TH NORTH SEATTLE, WASHINGTON

MEMORANDUM OPINION AND ORDER SUSPENDED REGISTRATION

This is a proceeding pursuant to Section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration as a broker and dealer of H. H. Stern should be revoked or suspended.

At the hearing held pursuant to the Commission's order [1] at Seattle, Washington, the registrant failed to appear personally or by counsel. Notice of the hearing was sent to the registrant by registered mail, but was not received by him because of his removal from the address which he had given the Commission. Thereafter, the order and notice of the hearing were published in the FEDERAL REGISTER for February 14, 1939, in the manner prescribed by the Federal Register Act.

The Trial Examiner filed an advisory report in which he found that the registrant has violated the provisions of Rule X–15B–2, adopted by the Commission pursuant to Sections 15 (b), 17 (a), and 23 (a) of the Securities Exchange Act of 1934 in failing to inform the Commission of changes in his business and residence addresses, as alleged in the Commission's order of February 11, 1939. On an independent review of the record, we adopt the Trial Examiner's findings, and find further that the violation of Rule X–15B–2 was wilful.

Because notice was not received by Stern, we will not order revocation of his registration. However, we find that it is necessary in the public interest and for the protection of investors that Stern's registration be suspended pending final determination of whether or not the registration should be revoked, which matter will be determined when Stern comes in to be heard or notice is received by him.

It is therefore ordered, Pursuant to Section 15 (b) of the Securities Exchange Act of 1934 that the registration of H. H. Stern be and the same hereby is suspended until further order.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 39–2921; Filed, August 9, 1939; 10:58 a. m.]

[1] 4 F.R. 894 DI.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of August, A. D. 1939.

IN THE MATTER OF EDWARD L. WEBSTER, DOING BUSINESS AS WEST STATES INVESTMENT CO., BOX 54, PAYETTE, IDAHO

MEMORANDUM OPINION AND ORDER SUSPENDING REGISTRATION

This is a proceeding pursuant to Section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration as a broker and dealer of Edward L. Webster, doing business as West States Investment Co., should be revoked or suspended.

At the hearing held pursuant to the Commission's order [1] at Seattle, Washington, the registrant failed to appear personally or by counsel. Notice of the hearing was sent to registrant by registered mail, but was not received by him because of his removal from the address which he had given the Commission. Thereafter, the order and notice of the hearing were published in the FEDERAL REGISTER for February 14, 1939, in the manner prescribed by the Federal Register Act.

The Trial Examiner filed an advisory report in which he found that the registrant has violated the provisions of Rule X–15B–2, adopted by the Commission pursuant to Sections 15 (b), 17 (a), and 23 (a) of the Securities Exchange Act of 1934 in failing to inform the Commission of changes in his business and residence addresses, as alleged in the Commission's order of February 11, 1939. On an independent review of the record, we adopt the Trial Examiner's findings, and find further that the violation of Rule X–15B–2 was wilful.

Because notice was not received by Webster, we will not order revocation of his registration. However, we find that it is necessary in the public interest and for the protection of investors that Webster's registration be suspended pending final determination of whether or not the registration should be revoked, which matter will be determined when Webster comes in to be heard or notice is received by him.

It is therefore ordered, Pursuant to Section 15 (b) of the Securities Exchange Act of 1934, that the registration of Edward L. Webster, doing business as West States Investment Co., be, and the same hereby is, suspended until further order.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 39–2924; Filed, August 9, 1939; 10:59 a. m.]

[1] 4 F.R. 893 DI.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Washington, D. C., on the 8th day of August, A. D. 1939.

[File No. 31-435]

IN THE MATTER OF ALUMINUM COMPANY OF AMERICA, ALUMINUM ORE COMPANY, MASSENA SECURITIES CORPORATION, AND THE ST. LAWRENCE RIVER POWER COMPANY

ORDER DISPOSING OF APPLICATIONS FOR EXEMPTION

Aluminum Company of America, Aluminum Ore Company and Massena Securities Corporation having made a joint application for exemptions pursuant to the provisions of Section 3 (a) (3) of the Public Utility Holding Company Act of 1935; The St. Lawrence River Power Company, a wholly-owned subsidiary of said applicants, having filed in connection with said application an application for a declaration that it is not an electric utility company, pursuant to the provisions of Section 2 (a) (3) (B) of said Act; a hearing on said applications having been held after appropriate notice; [1] the record in this matter having been duly considered; and the Commission having made its findings herein;

It is ordered, Pursuant to Section 2 (a) (3) (B) of the Public Utility Holding Company Act of 1935, that The St. Lawrence River Power Company be and it is hereby declared not to be an electric utility company; and

It is further ordered, That Aluminum Company of America be, and it hereby is, exempted from all those provisions of the Public Utility Holding Company Act of 1935 which would require it to register under said Act because of its directly or indirectly owning, controlling, or holding with power to vote 10% or more of the outstanding voting securities of Nantahala Power & Light Company, Knoxville Power Company, Cedar Rapids Transmission Company, Limited, Aluminum Ore Company, and Carolina Aluminum Company; and

It is further ordered, That Aluminum Ore Company be, and it hereby is, exempted from all those provisions of the Public Utility Holding Company Act of 1935 which would require it to register under said Act because of its directly or indirectly owning, controlling, or holding with power to vote 10% or more of the outstanding voting securities of Carolina Aluminum Company; and

It is further ordered, That the application of Massena Securities Corporation be, and it hereby is, dismissed.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-2918; Filed, August 9, 1939; 10:57 a. m.]

[1] 3 F.R. 2295 DI.

No. 153——2

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 9th day of August, A. D. 1939.

[File No. 43-241]

IN THE MATTER OF WESTERN STATES UTILITIES COMPANY

NOTICE OF AND ORDER FOR HEARING

A declaration pursuant to section 7 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on August 25, 1939, at 10 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before August 22, 1939.

The matter concerned herewith is in regard to the issue and sale of $350,000 First Mortgage 4½% Bonds due October 1, 1959.

The declaration states that the Bonds are to be sold at the principal amount plus accrued interest to date of delivery to Provident Mutual Life Insurance Company of Philadelphia, and that the net proceeds together with funds from other sources are to be used to redeem the presently outstanding $368,100.00 principal amount of First Mortgage Twenty Year Sinking Fund 6% Bonds, Series A, due October 1, 1945 at a premium of 5%.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-2917; Filed, August 9, 1939; 10:57 a. m.]